

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

BSI AG, individually and as successor in
interest to BANCO DEL GOTTARDO AG,

Defendant.

Adv. Pro. No. 12-01209 (CGM)

AMENDED STIPULATION AND ORDER REGARDING SCHEDULING

Plaintiff Irving H. Picard (the “Trustee”), trustee for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III (“SIPA”), and the chapter 7 estate of Bernard L. Madoff, and defendant BSI AG, individually and as successor in interest to BANCO DEL GOTTARDO AG (“Defendant,” and with the Trustee, the “Parties”), by and through their respective and undersigned counsel, state as follows:

WHEREAS, on February 18, 2022, the Trustee provided counsel for Defendant with a draft amended complaint;

WHEREAS, on March 11, 2022, counsel for Defendant communicated consent to the filing of the draft amended complaint, without waiver of any defenses, subject to an appropriate stipulation;

WHEREAS, on April 7, 2022, the Parties filed a Stipulation and Order setting an April 8, 2022 deadline for the Trustee to file the amended complaint, a June 3, 2022 deadline for the Defendant to respond to the complaint in the Action by filing a motion to dismiss, an August 5, 2022 deadline for the Trustee to respond to the motion, and a September 9, 2022 deadline for the Defendant to file a reply in support of its motion. *See* ECF No. 115; and

WHEREAS, on April 8, 2022, the Trustee timely filed the Amended Complaint (ECF No. 116);

WHEREAS, the Parties agree to an adjustment of the schedule;

IT IS HEREBY STIPULATED AND AGREED, that, the deadline for the Defendant to respond to the complaint in the Action shall be extended to **June 24, 2022**. If Defendant files a motion to dismiss, the deadline for the Trustee to respond to the motion shall be **August 26, 2022**, and the deadline for the Defendant to file a reply shall be **September 30, 2022**.

IT IS HEREBY STIPULATED AND AGREED, that if Defendant files a motion to dismiss the complaint, then the parties shall request oral argument on the motion at the Court's first available convenience, subject to the availability of counsel for the Parties.

[SIGNATURE PAGE TO FOLLOW]

Dated: May 31, 2022
New York, New York

By: /s/ Eric R. Fish

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*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7
Estate of Bernard L. Madoff*

By: /s/ Adam Lavine

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*Attorneys for Defendant, BSI AG, individually
and as successor in interest to BANCO DEL
GOTTARDO AG*

SO ORDERED.

Dated: June 1, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge